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| 09/727,640 | 11/30/2000 | James T. Walker | | 2414 |

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Michael Zarrabian, Esq.
Suite 500
1925 Century Park East
Los Angeles, CA 90067

EXAMINER

FEE, WILLIAM S

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| ART UNIT | PAPER NUMBER |
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3627

DATE MAILED: 03/14/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/727,640

Applicant(s)

WALKER, JAMES T.

Examiner

William S Fee

Art Unit

3627

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-52 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☐ Claim(s) 1-52 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 November 2000 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). ____
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____ 6) ☐ Other: ____

DETAILED ACTION

Specification

1. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc. Lines 4, 5 and 7 of the abstract contain the legal term "said" removal of these words is recommended.

2. Page 4, line 14, recites "lip 43" and page 3, line 25, recites "lip 32", distinction is unclear, specifying --door lip-- and --door stop lip-- would be acceptable. Correction is required.
3. Page 5, lines 24,28 and 30 recite "breaches 54" and page 3, line 29 recites "breach 38" distinction is unclear, specifying --cable breach-- and --hoop breach-- would be acceptable. Correction is required.

Drawings

2. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: 28,12 and 52. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance. Page 3, lines 4 and 5, recites "door mechanism", page 3. line 11, recites "doors 12" and page 5, line14 recites "compartments 52".

Claim Objections

3. Claim 46 is objected to because of the following informalities: Claim 46 depends from itself; for the purpose of this office action it is assumed that claim 46 depends from claim 42. Appropriate correction is required.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

5. Claim 6 recites the limitation "the doors" in line 4. There is insufficient antecedent basis for this limitation in the claim.

6. Claim 9 recites the limitation "the doors" in line 2. There is insufficient antecedent basis for this limitation in the claim.

7. Claim 10 recites the limitation "the doors" in line 2. There is insufficient antecedent basis for this limitation in the claim.

8. Claim 13 recites the limitation "the doors" in lines 4 and 5. There is insufficient antecedent basis for this limitation in the claim.

9. Claim 23 recites the limitation "the doors" in line 4. There is insufficient antecedent basis for this limitation in the claim.

10. Claim 25 recites the limitations "one door" and "the doors" in lines 2 and 5 respectively. There is insufficient antecedent basis for this limitation in the claim.

11. Claim 28 recites the limitation "the doors" in line 2. There is insufficient antecedent basis for this limitation in the claim.

12. Claim 29 recites the limitation "the doors" in line 2. There is insufficient antecedent basis for this limitation in the claim.
13. Claim 32 recites the limitation "the doors" in lines 4 and 5. There is insufficient antecedent basis for this limitation in the claim.
14. Claim 39 recites the limitations "the aperture", "one door" and "the doors" twice in lines 9,9,11 and 13 respectively. There is insufficient antecedent basis for this limitation in the claim.
15. Claim 40 recites the limitation "the aperture" in line 1. There is insufficient antecedent basis for this limitation in the claim.
16. Claim 41 recites the limitation "the aperture" in line 1. There is insufficient antecedent basis for this limitation in the claim.
17. Claim 47 recites the limitation "the doors" in lines 4 and 5. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

17. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

18. Claims 1-3,16 and 19 are rejected under 35 U.S.C. 102(b) as being anticipated by Wakeman, U.S.P.928,483.

Regarding claim 1, Wakeman discloses a security enclosure housing a with an opening to the interior (Figure 1), a door mechanism a' and an aperture 17. Regarding

claims 2 and 3, Wakeman discloses the aperture 17 is a narrow slot (Figure 1).

Regarding claim 16, Wakeman discloses breach 18. Regarding claim 19, Wakeman discloses a housing with side, top, bottom and rear walls and an opening where a door forms a front wall (Figure 1).

19. Claims 20-22 and 36-38 are rejected under 35 U.S.C. 102(b) as being anticipated by Israel, GB 2 066 869 A.

Regarding claim 20, Israel discloses a security enclosure housing 1 with an opening to the interior (Figure 1), a door mechanism 19 and an aperture 21 on the door mechanism. Regarding claims 21 and 22, Israel discloses the aperture 21 is a narrow slot (Figure 1). Regarding claim 36 and 37, Israel discloses an anchoring mechanism (Figure 2) with a plurality of orifices in the housing and fasteners 14. Regarding claim 38, Israel discloses a housing with side, top, bottom and rear walls and an opening where a door forms a front wall (Figure 1).

Claim Rejections - 35 USC § 103

20. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

21. Claims 4 and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wakeman, U.S.P. 928,483 in view of Sanderson et al., U.S.P. 4,704,970.

Wakeman is discussed above.

Regarding claims 4 and 5, Sanderson teaches hinges 10 attaching a door 70 to a housing concealing the hinges from view when the door is closed (Figures 1, 2, 4, 5, 6 and 7).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the device of Wakeman, with concealed hinges as taught by Sanderson, in order to provide better more secure opening and closing means of the door.

22. Claims 6, 7, 8 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wakeman, U.S.P. 928,483 in view of Wege, U.S.P. 1,054,325.

Wakeman is discussed above.

Regarding claims 6, 7, 8 and 10, Wege teaches a first door 32 and a second door 31 mounted to a housing and movable between open and closed position via hinges 44, whereby when the doors are closed door 2 traps door 1 (Figures III and X) locking the doors closed by the lock shown in figure I.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the device of Wakeman, with dual trapping doors with a lock as taught Wege, in order to provide better access more secure locking of the doors.

23. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Wakeman, U.S.P. 928,483 in view of Wege, U.S.P. 1,054,325 as applied to claims 6, 7, 8 and 10 above, and further in view of Sanderson et al., U.S.P. 4,704,970.

Wakeman and Wege are discussed above.

Regarding claim 9, Sanderson teaches hinges 10 attaching a door 70 to a housing concealing the hinges from view when the door is closed (Figures 1, 2, 4, 5, 6 and 7).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the device of Wakeman as modified by Wege, with concealed hinges as taught by Sanderson, in order to provide better more secure opening and closing means of the door.

24. Claims 11, 12 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wakeman, U.S.P. 928,483 in view of Wege, U.S.P. 1,054,325 as applied to claims 6, 7, 8 and 10 above, and further in view of List, U.S.P. 3,866,961.

Wakeman and Wege are discussed above.

List teaches a locking mechanism where a member 25 with a hole 26 projects through a breach 19 in a door where the breach is in a recess 13.

Regarding claims 11 and 13, it would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the device of Wakeman as modified by Wege, with a member containing a hole which passing through a breach in the door as taught by List, in order to provide a simpler locking means of the doors.

Regarding claim 12, it would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the device of Wakeman as modified by Wege, with a recessed area for the breach in the door as taught by List, in order to provide a smooth snag free surface.

25. Claims 14 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wakeman, U.S.P. 928,483 in view of Gross, U.S.P. 342,003.

Wakeman is discussed above.

Regarding claims 14 and 15, Gross discloses shelving dividers as shown in Figure 1.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the device of Wakeman, with shelving dividers as taught by Gross, in order to provide better more efficient storage space.

26. Claims 17 and 81 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wakeman, U.S.P. 928,483 in view of Israel, GB 2 0660 869 A.

Wakeman is discussed above.

Regarding claims 17 and 18, Israel discloses an anchoring mechanism (Figure 2) with a plurality of orifices in the housing and fasteners 14.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the device of Wakeman, with an anchoring mechanism comprising housing orifices and fasteners as taught by Israel, in order to secure the safe to some immovable presence.

27. Claims 23 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Israel, GB 2 066 869 A in view of Sanderson et al., U.S.P. 4,704,970.

Israel is discussed above.

Regarding claims 4 and 5, Sanderson teaches hinges 10 attaching a door 70 to a housing concealing the hinges from view when the door is closed (Figures 1, 2, 4, 5, 6 and 7).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the device of Israel, with concealed hinges as taught by Sanderson, in order to provide better more secure opening and closing means of the door.

28. Claims 25-27, 29, 39-43, 51 and 52 are rejected under 35 U.S.C. 103(a) as being unpatentable over Israel, GB 2 066 869 A in view of Wege, U.S.P. 1,054,325.

Israel is discussed above.

Regarding claims 25-27, 29, 39-43, 51 and 52, Wege teaches a first door 32 and a second door 31 mounted to a housing and movable between open and closed position via hinges 44, whereby when the doors are closed door 2 traps door 1 (Figures III and X) locking the doors closed by the lock shown in figure I.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the device of Israel, with dual trapping doors with a lock as taught Wege, in order to provide better access more secure locking of the doors.

29. Claims 28 and 44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Israel, GB 2 066 869 A in view of Wege, U.S.P. 1,054,325 as applied to claims 25-27, 29, 39-43, 51 and 52 above, and further in view of Sanderson et al., U.S.P. 4,704,970.

Israel and Wege are discussed above.

Regarding claims 28 and 44, Sanderson teaches hinges 10 attaching a door 70 to a housing concealing the hinges from view when the door is closed (Figures 1, 2, 4, 5, 6 and 7).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the device of Israel as modified by Wege with concealed hinges as taught by Sanderson, in order to provide better more secure opening and closing means of the doors.

30. Claims 30-32 and 45-47 are rejected under 35 U.S.C. 103(a) as being unpatentable over Israel, GB 2 066 869 A in view of Wege, U.S.P. 1,054,325 as applied to claims 25-27, 29, 39-43, 51 and 52 above, and further in view of List, U.S.P. 3,866,961.

Israel and Wege are discussed above.

List teaches a locking mechanism where a member 25 with a hole 26 projects through a breach 19 in a door where the breach is in a recess 13.

Regarding claims 30, 32, 45 and 47 it would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the device of Wakeman as modified by Wege, with a member containing a hole which passing through a breach in the door as taught by List, in order to provide a simpler locking means of the doors.

Regarding claim 31 and 46 it would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the device of Wakeman as modified by Wege, with a recessed area for the breach in the door as taught by List, in order to provide a smooth snag free surface.

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31. Claims 33 and 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Israel, GB 2 066 869 A in view of Gross, U.S.P. 342,003.

Israel is discussed above.

Regarding claims 33 and 34, Gross discloses shelving dividers as shown in Figure 1.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the device of Israel, with shelving dividers as taught by Gross, in order to provide better more efficient storage space.

32. Claim 35 is rejected under 35 U.S.C. 103(a) as being unpatentable over Israel, GB 2 066 869 A in view of Wakeman, U.S.P. 928,483.

Israel is discussed above.

Wakeman discloses breach 18.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the device of Israel, with a breach as taught by Wakeman, in order to provide insertion of objects into the safe without having to open the safe door.

33. Claims 48 and 49 are rejected under 35 U.S.C. 103(a) as being unpatentable over Israel, GB 2 066 869 A in view of Wege, U.S.P. 1,054,325 as applied to claims 25-27,29,39-43,51 and 52 above, and further in view of Gross, U.S.P. 342,003.

Israel and Wege are discussed above.

Regarding claims 48 and 49, Gross discloses shelving dividers as shown in Figure 1.

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It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the device of Israel as modified by Wege with shelving dividers as taught by Gross, in order to provide better more efficient storage space.

34. Claim 50 is rejected under 35 U.S.C. 103(a) as being unpatentable over Israel, GB 2 066 869 A in view of Wege, U.S.P. 1,054,325 as applied to claims 25-27,29,39-43,51 and 52 above, and further in view of Wakeman, U.S.P. 928,483.

Israel and Wege are discussed above.

Wakeman discloses breach 18.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the device of Israel, with a breach as taught by Wakeman, in order to provide insertion of objects into the safe without having to open the safe doors.

26. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The following are similar in principle to the security safe disclosed by the applicant: Castenada, Jr. et al., Cornaro, Meilink, Green.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to William S. Fee whose telephone number is (703) 305-3131. The examiner can normally be reached on Monday through Friday from 7:00 AM to 3:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Katherine Matecki, can be reached on (703) 308-2688. The fax phone

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number for the organization where this application or proceeding is assigned is (703) 308-3687.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1113.

William S Fee
Examiner
Art Unit 3627

Kathy Matecki

**KATHY MATECKI
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600**